

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KALEMBA BALIMUNKWE, : Case No. 1:14-cv-327
Plaintiff, :
vs. : Judge Timothy S. Black
BANK OF AMERICA, N.A., : Magistrate Judge Karen L. Litkovitz
AS SUCCESSOR TO FIRST FRANKLIN :
FINANCIAL CORP., *et al.*, :
Defendants. :
:

**DECISION AND ENTRY ADOPTING THE REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Doc. 135)**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on January 6, 2016, submitted a Report and Recommendations. (Doc. 135). Plaintiff filed objections to the Report and Recommendations. (Doc. 139).¹ This matter is now ripe for review.

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does

¹ Although Plaintiff filed objections, he subsequently filed a notice stating that he “cannot continue this case” and “voluntarily dismisses” the case. (Doc. 139 at 1, 3). The Court declines to accept Plaintiff’s voluntary dismissal and instead reviews the merits of the case in rendering its opinion.

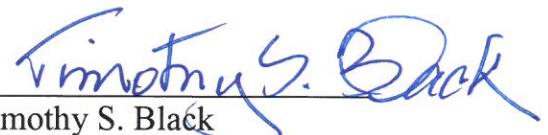
determine that such Report and Recommendations should be and is hereby adopted in its entirety. Accordingly:

1. Plaintiff's motion for leave to obtain another handwriting expert (Doc. 109) is **DENIED**;
2. Plaintiff's motion to designate Wendy Carlson as his handwriting expert (Doc. 112) is **DENIED**;
3. Plaintiff's motion to amend his previous request to designate a new handwriting expert (Doc. 128) and plaintiff's amended request (Doc. 129) are **DENIED**;
4. Plaintiff's motion for summary judgment (Doc. 82) is **DENIED**;
5. Defendant Bank of America's motion for summary judgment (Doc. 83) is **GRANTED**;
6. Defendant Residential Credit Solution's motion for summary judgment (Doc. 85) is **GRANTED**;
7. Plaintiff's motion for a continuance (Doc. 137) is **DENIED** as **MOOT**; and
8. The Clerk shall enter judgment accordingly, whereupon this case is **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date:

2/29/16



Timothy S. Black
United States District Judge